

ENTRY-LEVEL DRIVER TRAINING ADVISORY COMMITTEE CHARTER

1. **COMMITTEE'S OFFICIAL DESIGNATION:** The Committee's official designation is the Entry-Level Driver Training Advisory Committee (ELDTAC).
2. **AUTHORITY:** The Committee is being established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, as a discretionary advisory Committee under the authority of the U.S. Department of Transportation (DOT). The formation and use of the ELDTAC are determined to be in the public interest. The Committee is also established in accordance with the Negotiated Rulemaking Act, 5 U.S.C. § 561-570.
3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Committee will be a negotiated rulemaking Committee that will provide recommendations based on a consensus-based process related to the following:
 - Development of minimum training requirements for individuals applying for a commercial driver's license (CDL), known as entry-level drivers of commercial motor vehicles (CMVs);
 - Gathering and provision of data to quantify the costs and safety benefits of training;
 - Accreditation vs. certification of entry-level driver training programs and schools;
 - Contents of driver training curricula, including separate course modules for motorcoach and passenger carriers, as well as hazardous materials carriers;
 - Instructor qualifications and requirements;
 - Performance vs. minimum hours training approach, as well as simulation training and special considerations;
 - Other issues related to establishing such requirements.
4. **DESCRIPTION OF DUTIES:** The duties of the Committee are to achieve consensus recommendations on a rulemaking on entry-level driver training. A representative (or representatives) of FMCSA will participate as a full Committee member(s), as authorized under 5 U.S.C. 566(b).
5. **OFFICIAL(S) TO WHOM THE COMMITTEE REPORTS:** The Committee will report to the Administrator of the Federal Motor Carrier Safety Administration (FMCSA) through the Associate Administrator for Policy.
6. **SUPPORT:** The FMCSA's Office of Policy will provide necessary funding, logistics, administrative, and technical support for the Committee, including subject matter experts and economists.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The estimated annual cost associated with supporting the Committee is \$250,000, including 2 staff per year.

8. DESIGNATED FEDERAL OFFICER (DFO):

- a. The DFO for the Committee is FMCSA's Associate Administrator for Policy or his or her designee, who must be either a full-time or permanent part-time Federal employee.
- b. The DFO will nominate a facilitator to impartially aid in the discussions and negotiations among the members of the Committee to develop a rulemaking. The facilitator will be selected in accordance with § 566(c) of the Negotiated Rulemaking Act.
- c. The DFO will approve or call all Committee and subcommittee meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meetings when he or she determines adjournment to be in the public interest, and chair meetings when directed to do so by the FMCSA Administrator or the Secretary.

9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

- a. The Committee is estimated to meet from February to September 2015, approximately once every 2 to 3 weeks. As necessary, special and subcommittee meetings may be called by the DFO.
- b. Notice of each Committee meeting shall be published in the Federal Register at least 15 calendar days prior to the date of the meeting. The meeting agenda and all relevant meeting information will be posted in advance of each meeting at the Web site (eldtac.fmcsa.dot.gov).
- c. Meetings shall be open to the general public, except as provided under section 10(d) of FACA (as implemented by 41 C.F.R § 102-3.155), the Government in the Sunshine Act (5 U.S.C. § 522b(c)), and DOT Order 1120.3B.
- d. Minutes of each meeting shall be certified by the DFO or his or her designee and maintained by the sponsor. The minutes, as certified, shall be available for public inspection and copying at the Web site (eldtac.fmcsa.dot.gov).

10. DURATION: In accordance with 41 CFR §102-3.30(b), the Committee will terminate when the stated objectives of the Committee have been accomplished (i.e., the negotiated rulemaking is complete) or upon the expiration of a period not to exceed 2 years, unless the charter is renewed.

11. TERMINATION: This charter shall terminate 2 years from its filing date unless renewed in accordance with FACA.

12. MEMBERSHIP AND DESIGNATION:

- a. The Committee shall be composed of approximately 20 members appointed by the Administrator for up to one 2-year term.

- b. Members serve at the pleasure of the Administrator, subject to their stated terms.
- c. Members shall be experts in their respective fields and appointed as Special Government Employees or representatives of entities or interests including but not limited to the following: CMV driver training organizations; industry representatives; representatives of driver training schools; motor carriers (of property and passengers) and associations; State licensing agencies; State enforcement agencies; labor unions; safety advocacy groups; insurance companies; and others. The Committee shall include at least one member representing FMCSA.
- d. To ensure the recommendations of the Committee have taken into account the needs of diverse groups served by the Department, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with disabilities.

13. SUBCOMMITTEES: The FMCSA has the authority to create subcommittees. Subcommittees shall not work independently of the chartered ELDTAC and shall report all of their recommendations and advice to the full ELDTAC for deliberation and discussion. Subcommittees must not provide advice or work products directly to FMCSA or DOT.

14. RECORDKEEPING: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. FILING DATE: The filing date of this charter is effective January 15, 2015. The Committee will remain in existence for 2 years after this date unless sooner terminated or renewed.

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION**

**MEMBERSHIP BALANCE PLAN
OF THE ENTRY-LEVEL DRIVER TRAINING NEGOTIATED RULEMAKING
ADVISORY COMMITTEE (ELDTAC)**

1. COMMITTEE'S OFFICIAL DESIGNATION: The committee's official designation is the Entry-level Driver Training Negotiated Rulemaking Advisory Committee (ELDTAC).
2. AUTHORITY: The Committee is established under the authority of the U.S. Department of Transportation (DOT) in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. *See* Memorandum of the President entitled, "Regulatory Reinvention Initiative" (March 4, 1995) and Sec 6(a) of Executive Order 12866 (Sept 30, 1993). Negotiated Rulemaking Act, 5 U.S.C. secs. 561-570.
3. MISSION/FUNCTION: The committee will provide recommendations based on a consensus-based process to the Administrator of the FMCSA on the development of minimum training requirements for entry-level drivers of commercial motor vehicles (CMV). A representative (or Representatives) of FMCSA will participate as a full committee member, as authorized under 5 U.S.C. 566(b).
4. POINTS OF VIEW: The committee consists of members who are experts in their respective fields and appointed as Special Government Employees or representatives of entities or interests including but not limited to the following: CMV driver training organizations; industry representatives; representatives of driver training agencies; State enforcement agencies; labor unions; safety advocacy groups; and insurance companies.
 - a. The committee may be composed of approximately 20 members, who are selected primarily from among individuals who are not employees of FMCSA and who are specially qualified to serve on the committee based on their specialized experience, education, or training. Additionally, FMCSA will be represented on the committee.
 - b. The Agency seeks balance on the committee among the sectors represented.
5. OTHER BALANCE FACTORS: In addition to the factors stated above to balance the committee membership, the Agency seeks balance with regard to the following factors: gender; geographic area; race and ethnicity; expertise; diversity of work sector; and other factors to achieve the most diverse and comprehensive points of view.

6. CANDIDATE IDENTIFICATION PROCESS

- a. The Agency will solicit membership from among the representative sectors through a notice in the Federal Register and other advertisements, as necessary, allowing 3 weeks for candidates to apply or be nominated. This will be an electronic application and solicitation process.
 - b. Upon the closing of the application period, candidate applications will be compiled and reviewed and recommendations for membership are made by the committee liaison to the FMCSA Associate Administrator for Policy, who serves as the committee Designated Federal Officer (DFO), and then to the FMCSA Administrator for consideration and selection.
 - c. Under the ELDTAC Charter, committee members may be appointed by the Administrator for a term up to 1-year in length, renewable for an additional year should the committee be extended.
7. SUBCOMMITTEE BALANCE: In the event that subcommittees are established, they will be balanced according to the criteria discussed above.
8. DATE PREPARED/UPDATED: This Membership Balance Plan was prepared initially on _____, and will be updated in conjunction with the charter as necessary.